CBS RIVALS ABC

2nd Angle on Oswald Tale

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DALLAS—The production company that is here now filming "The Trial of Lee Harvey Oswald" for ABC will be followed to town next month by another group shooting a movie called "Ruby and Oswald" for CBS. Both will run during the coming TV season.

Although both projects stem from the assassination of President John F. Kennedy in 1963 and will be using many of the same location sites, the producers insist there will not be a replay of last season's fierce competition between ABC and NBC to be first on the air with a dramatization of the Israeli raid on Entebbe.

For one thing, ABC is already several weeks into production while the CBS movie has not yet been cast. But more important, says Alan Landsburg, executive producer of "Ruby and Oswald," the two films do very little overlapping, unlike ABC's "Victory at Entebbe" and NBC's "Raid on Entebbe."

The Entebbe programs were genuinely competitive in that they dealt with exactly the same story (although in the end, being second didn't hurt NBC: "Raid on Entebbe" drew a higher rating than the first one on ABC). That is not the case here. "The Trial of Lee Harvey Oswald" is using the hypothetical courtroom setting to argue whether Oswald was guilty and, if so, whether he acted alone. "Ruby and Oswald" will take a more documentary approach in chronicling the activities of the two men over a four-day period that culminated in one gunning down the other.

The differences are basic. "The Trial of Lee Harvey Oswald" provides a forum for debating the Warren Commission's findings that Oswald alone was responsible; "Ruby and Oswald" will embrace the Commission's conclusions, not by showing Oswald pulling the trigger but by establishing the case that no one else could have.

Nevertheless, there is some sniping going on between the two camps. People on the ABC project are questioning the value of a straightforward chronology of events that took place 13½ years ago, while on the CBS project they're asking whether the staging of a trial that never happened doesn't suggest the material is more fiction than fact.

Ruby's Assassination of Oswald

"We are dealing with what we know happened and what we can verify happened," Landsburg said in Los Angeles. "As far as we have been able to determine, there is little or no validity to other findings. I think when the final results are in, you'll find we have brought all the pieces together in an extraordinary portrait, instead of providing sensational fuel for argument."

"Ruby and Oswald" will not reconstruct the Kennedy assassination because there are too many unverifiable factors involved, he said. But Ruby's assassination of Oswald will be restaged.

The creative forces behind "The Trial of Lee Harvy Oswald" are extremely sensitive to criticism about sensationalism, particularly after reenacting the Presidential assassination in harrowing detail Sunday on the street where the real shooting occurred. Conflicting points of view will be expressed in the film but all of them have their proponents, they say.

"The one thing we haven't done is to show as fact something that is in doubt," explained Richard Freed, coproducer of the four-hour ABC film. "We'll have witnesses testify about what they said they saw. On some points their versions will conflict, but we do not want to say to the American public, 'This is precisely how it happened.' It's a 'Rashomon' kind of situation. In fact, this whole thing is a giant 'Rashomon' "—a reference to the great Japanese film about how participants in a highly charged emotional situation perceive it differently.

Freed and Lawrence Schiller, the other producer, say "The Trial of Lee Harvey Oswald" was thoroughly researched during its development over the past two years, including extensive interviews with Oswald's widow, Marina. The final script was checked for accuracy and approved by ABC's news department, they added.

ABC Keeps Ending a Secret

ABC has clamped a secrecy lid on how the film ends but executive producer Charles Fries says the conclusion will not overshadow the major thrust of the movie, which aside from considerations as dramatic entertainment is to present a balanced view of some of the assassination theories so TV watchers can reach their own verdict.

That's why in writing "The Trial of Lee Harvey Oswald," Robert E. Thompson said he consciously avoided talking to persons with strong convictions about a particular theory, such as Mark Lane, the author of "Rush to Judgment" and other books critical of the Warren Commission.

"I wanted it to be one creative intelligence—an overview of the situation, not a potpourri of half a dozen advocates of one side or the other," Thompson explained at a filming site outside the Texas School Book Depository. "I couldn't have maintained balance that way.

"You know," he continued, "I wrote a picture a few years ago called 'A Case of Rape,' which led to a change in the law for rape in California. The power of television is so awesome that it becomes a little scary. This is an attempt to be dramatic, artistic . . . but at all times responsible."

Coincidental as it is that "The Trial of Lee Harvey Oswald" and "Ruby and Oswald" are in the works at the same time, there also happen to be two other TV films upcoming on Kennedys who died young. Already completed for ABC is "Young Joe: The Forgotten Kennedy," a biography of Jospeh P. Kennedy Jr., and being written for NBC is "RFK —Between the Gunshots," a portrait of Robert Kennedy from the time his brother was shot down until he too was assassinated.